

Ellen Hardebeck
Control Officer



**GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT
TITLE V OPERATING PERMIT**

157 Short Street ★ Bishop, California 93514 ★ (760) 872-8211 ★ Fax (760) 872-6109

ISSUED TO:

United States Navy
Naval Air Weapons Station, China Lake
1 Administration Circle
China Lake, CA 93555-6001

PLANT SITE LOCATION: Burro Canyon

South east side of the Inyo County portion of China Lake, NAWS, 11 miles north-northeast of Mainsite and approximately 3 miles north of Weapons Survivability.

ISSUED BY GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

Ellen Hardebeck, Air Pollution Control Officer

Date of Issuance

Nature of Business: Research, development, test, evaluation and in service engineering center for weapons systems associated with air warfare (except antisubmarine warfare systems), missiles and missile subsystems, aircraft weapons integration, and assigned airborne electronic warfare systems, and to maintain and operate the air, land, sea ranges of the Naval Western Test Range Complex.

Burro Canyon: Explosive Ordnance Disposal (EOD) uses Burro Canyon to treat retrograde propellants, explosives, and pyrotechnics (PEP) through Open Burn/Open Detonation (OB/OD).

Primary SIC: 4953

RESPONSIBLE OFFICIAL:

FACILITY CONTACT PERSON:

Name: Captain S. Douglass
Title: Commanding Officer

Name: Brenda Mohn
Title: Air Quality Program Manager
Phone: (760) 927-1513

TABLE OF CONTENTS

LIST OF ACRONYMS USED IN THIS PERMIT	3
EMISSIONS SOURCE (ES) AND AIR POLLUTION CONTROL DEVICE (PCD) IDENTIFICATION	4
EMISSION LIMITS AND STANDARDS	4
MONITORING REQUIREMENTS	6
TEST METHODS AND PROCEDURES	6
RECORDKEEPING REQUIREMENTS	7
REPORTING REQUIREMENTS	7
GENERAL CONDITIONS	9

LIST OF ACRONYMS USED IN THIS PERMIT

CFR	Code of Federal Regulations
CARB	California Air Resources Board
CH&SC	California Health and Safety Code
CO	Carbon monoxide
dscf	dry standard cubic feet
EF	Emission factor
U.S. EPA	United States Environmental Protection Agency
ES	Emission Source
FCAA	Federal Clean Air Act
I&M	Inspection and maintenance
O&M	Operation and Maintenance
PEP	Propellants, Explosives, and Pyrotechnics

PERMITTED ACTIVITIES

1. Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air contaminants from those processes and activities directly related to or associated with air contaminant source(s) in accordance with the requirements, limitations, and conditions of this permit. [District Rule 217]
2. All conditions in this permit are federally enforceable, except Conditions **5 and G15** which are enforceable by the District and State only (District Rule 217).

EMISSIONS SOURCE (ES) AND POLLUTION CONTROL DEVICE (PCD) IDENTIFICATION

3. The emissions units/areas regulated by this permit are the following: [Rule and 217]

Emissions Source	ES ID	Pollution Control Device/Practice
Burro Canyon OB/OD operations	BC-001	water truck
Fugitive emissions	BC-002	dust suppressant practices

EMISSION LIMITS AND STANDARDS

The following tables contain summaries of applicable requirements other than the Plant Site Emission Limits (PSEL), along with the monitoring methods for the emissions units to which those requirements apply.

Table-1: Facility Wide Emission Limits and Standards:

Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/standard	Monitoring Requirements	
				Method	Condition Number
District Rule 400	4 & 9	visible emissions	20% opacity, 3 min. in 60 minutes	EPA method 9	12
CH&SC Sec. 41701	5	visible emissions	40% opacity, 3 min. in 60 minutes	EPA method 9	12
District Rule 401	6 , 8 & 9	fugitive emissions	Reasonable precautions	Investigation\ recordkeeping	12
District Rule 402	7, 9 & 10	fugitive dust/odor	work practices	Complaint Investigation\ recordkeeping	12

Note: Rule 400 does not apply to the treatment of waste propellants, explosives and pyrotechnics in open burn/open detonations operations.

4. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is darker than Ringelmann 1 or greater than 20% opacity (District Rule 400)
5. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is darker than Ringelmann 2 or greater than 40% opacity (CH&SC Sec. 41701)
6. If wind conditions are such that the permittee cannot control dust, the permittee shall shut down soil disturbing operations (except for equipment used for dust control). Under no circumstance shall man-caused fugitive dust be allowed to blow across a property boundary (District Rule 401).
7. No air contaminant shall be released into the atmosphere which causes a public nuisance (District Rule 402).
8. The permittee is responsible for dust control and for ensuring that subcontractor(s), employees, and all other persons connected with the operation abide by the conditions of this permit (District Rule 401).
9. To prevent violations of District Rule(s) 400, 401 and 402, the permittee shall have at a minimum one (1) watering truck available to apply water to the unpaved roads in construction/project areas. The fugitive emissions shall be maintained below a Ringelmann 1 (20% opacity) (District Rules 400, 401 and 402).
10. China Lake NAWS shall post and observe a 25 mph speed limit in construction/project areas. During normal daily activity, China Lake NAWS, their contractor(s), and employees shall observe this speed limit. The speed limit shall be strictly enforced by the applicant. (District Rule 402).

Table II, Emissions Units specific emissions limits and standards:

Note: Rules 400, 404-A and 404-B do not apply to the treatment of waste propellants, explosives and pyrotechnics in open burn/open detonations operations.

ES ID	Applicable Requirement	Condition Number	Pollutant/Parameter	Limit/standard	Monitoring Requirements	
					Method	Condition Number
BC-001	Rule 432	11	Criteria & toxic	District approved health risk assessment & modeling	I&M Recordkeeping	14.a

11. No open burn/open detonation (OB/OD) operation may be done without prior approval from the Air Pollution Control Officer (APCO) through the approval of an OB/OD burn plan.

MONITORING REQUIREMENTS [District Rules 210 and 217 VI.B.5]**Facility-wide Emissions Limits and Standards Monitoring**

12. The permittee shall maintain a log of all complaints received from the public about fugitive emissions blowing beyond the property boundary. This log will include results of investigation and any corrective action. If the complaints become a nuisance the permittee shall perform and maintain records of the following inspection and maintenance (I&M):
 - a. At least daily, the permittee shall visually observe the active areas of the weapons station for any sources of excess fugitive emissions in accordance with EPA method 22. For the purpose of this survey, excess fugitive emissions are considered to be any visible emissions that leave the weapons station boundaries. The person conducting the observation does not have to be EPA Method 9 certified. However, the individual should be familiar with the procedures of EPA Method 9 including using the proper location to observe visible emissions. If sources of fugitive emissions are identified, the permittee shall:
 - i. Immediately conduct an EPA Method 9 test at weapons station boundary within 24 hours; or
 - ii. Contain the source of emissions (e.g., sweep up the dust site), cover the material, or use water or some chemical treatment to minimize the fugitive emissions, unless cold weather would make this activity result in hazard conditions. If water is used to control the fugitive dust emissions, the permittee shall take precautions to not create a water quality problem from surface water run-off.
 - b. The permittee shall maintain a log (Range Schedule) of all I&M activities/areas listed in conditions 3, 6, 8, 9, and 12.a. The permittee shall record in a log the date and time of maintenance activities and visible emissions observations, the results of the observations, and the corrective action, if necessary.

TEST METHODS AND PROCEDURES

13. If source testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods and averaging times to measure the pollutant emissions for the applicable requirements referenced in the table:

Permit condition	Test method	Averaging time	Special conditions
4	EPA Method 9	3 minutes	The test duration may be less than 60 minutes if a violation of the standard is documented before the full 60 minute observation period is completed.
5	EPA Method 9	3 minutes	The test duration may be less than 60 minutes if a violation of the standard is documented before the full 60 minute observation period is completed.

RECORDKEEPING REQUIREMENTS [District Rule 217 VI.B.6]

14. The permittee shall maintain the following specific records of required monitoring information:
- Type and amount of PEP for each open burn/open detonation operation and shall be submitted to the District sixty (60) days prior to the end of the burn plan approval period. [District Rule 432]
 - Estimate of fugitive emissions.
15. The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring, sample collection, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recording for continuous monitoring instrumentation, and copies of all reports required by the permit. All existing records required by the previous Air Quality Permit shall also be retained for five years from the date of the monitoring, sample collection, measurement, report, or application.

REPORTING REQUIREMENTS [District Rule 217 VI.B.7]

16. The permittee shall submit two (2) copies of the semi-annual monitoring report, covering the period from January 1 to June 30, using District approved forms by July 30, unless otherwise approved in writing by the District. One copy of the report shall be submitted to the District and one copy to the U.S. EPA Region 9 office. The semi-annual monitoring report shall include the semi-annual compliance certification.
17. The permittee shall submit two (2) copies of the annual monitoring report (Jan. 1 to Dec. 31), using District approved forms by April 1, unless otherwise approved in writing by the District. One copy of the report shall be submitted to the District and one copy to the U.S. EPA Region 9 office.

18. The semi-annual and annual reports shall include the following information:
- Monthly and annual records of the type and amount of fuels used by each stationary combustion engine;
 - annual hours of operation for each stationary combustion engine;
 - type and amount of PEP for each open burn/open detonation operation;
 - estimate of fugitive emissions;
 - the emission fee report;
 - the excess emissions upset log; and
 - state whether compliance was continuous or intermittent and shall identify any deviation from permit requirements, including that previously reported to the APCO;
19. The compliance certification report shall include the following:
- the compliance status and method(s) used to determine compliance for the current time period and over the entire reporting period; and
 - any additional inspection, monitoring, or entry requirement that may be promulgated pursuant to sections 114(a) and 504(b) of the CAA.
20. Other reporting requirements include the following:
- source test plans; and
 - emission factor verification testing summaries.
21. All reports and documents submitted to the District pursuant to this permit shall include the following:
- Any deviation from permit requirements, including that attributable to upset conditions (as defined in District Rule 403 Breakdown), shall be promptly (within 2 to 10 days of the deviation) reported to the APCO, in the case of deviations due to upset or emergency conditions, no longer than the time frames provided for under the emergency provisions in Rule 217 VI.B.12;
 - all reports of a deviation from permit requirements shall include the probable cause of the deviation and any preventative or corrective action taken;
 - a progress report shall be made on a compliance schedule at least semi-annually and shall include: 1) the date when compliance will be achieved, 2) an explanation of why compliance was not, or will not be, achieved by the scheduled date, and 3) a log of any preventative or corrective action taken; and
 - a written statement from the responsible official which certifies the truth, accuracy, and completeness of the report.
- The permittee shall promptly, upon discovery, report to the District a material error or omission in their records, reports, or other documents.
22. Addresses of the regulatory agencies are the following (unless otherwise instructed):

Great Basin UAPCD
157 Short St., Suite 6
Bishop, CA 93514

Air Division
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

General Conditions

G1. Compliance Plan [District Rule 217 VI.B.8 and VI.B.9]

- a. The permittee will continue to comply with those permit conditions with which it is in compliance.
- b. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.

G2. Compliance with Permit Conditions [District Rule 217 VI.B.11]

- a. The Permittee shall comply with all conditions of the federal operating permit. Any permit condition noncompliance which constitutes a violation of the Federal Clean Air Act and/or District rules is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Any noncompliance with a permit condition specifically designed as enforceable only by the District constitutes a violation of District rules only and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- b. This permit does not convey property rights or exclusive privilege of any sort.
- c. The permittee shall not use the "need to halt or reduce a permitted activity in order to maintain compliance" as a defense for noncompliance with any permit condition.
- d. A pending permit action of notification of anticipated noncompliance does not stay any permit condition.
- e. Within a reasonable time period, the permittee shall furnish any information requested by the APCO, in writing, for the purpose of determining: 1) compliance with the permit, or 2) whether or not cause exists for a permit or enforcement action.

G3. Compliance Certification [District Rule 217 VI.B.14]

The responsible official shall submit a compliance certification to the U.S. EPA and the APCO every 12 months or at more frequent periods if specified in the applicable requirement or by the permitting authority and shall contain:

- a. the basis for each permit term or condition (e.g., specify the emissions limitation, standard, or work practice) and a means of monitoring compliance with the term or condition;
- b. the compliance status and method(s) used to determine compliance for the current time period and over the entire reporting period; and
- c. any additional inspection, monitoring, or entry requirement that may be promulgated pursuant to sections 114(a) and 504(b) of the CAA.

G4. Right of Entry [District Rule 217 VI.B.10]

Upon presentation of credentials and other documents as may required by law, the permittee shall allow the Air Pollution Control Officer, the Executive Officer of the California Air Resources Board, Regional Administrator of the United States Environmental Protection Agency, or their authorized representatives, shall be permitted to enter upon the premises:

- a. To inspect the stationary source, including equipment, work practices, operations, and emission-related activity; and
- b. To have access to and copy, at reasonable times, any records that must be kept under conditions of the Title V Permit to Operate;
- c. To sample substances or monitor emissions from the source or other parameters to assure compliance with the applicable requirements of the Title V Permit to Operate. Monitoring of emissions can include source testing.

G5. Emergency Provisions [District Rule 217 VI.B.12]

- a. The responsible official shall submit to the District a properly signed contemporaneous log or other relevant evidence which demonstrates that:
 - i. An emergency occurred;
 - ii. The permittee can identify the cause(s) of the emergency;
 - iii. The facility was being properly operated at the time of the emergency;
 - iv. All steps were taken to minimize the emissions resulting from the emergency; and
 - v. Within two working days of the emergency event, the permittee provided the district with a description of the emergency and any mitigating or corrective actions taken;
- b. In any enforcement proceeding, the permittee has the burden of proof for establishing that an emergency occurred; and
- c. In addition to the emergency provisions above, the permittee shall comply with the emergency or upset provisions contained in all applicable federal requirements and District requirements.

G6. Severability Clause [District Rule 217 VI.B.13]

Upon any administrative or judicial challenge, all the emission limits, specific and general conditions, monitoring, recordkeeping, and reporting requirements of this permit to operate, except those being challenged, remain valid and must be complied with.

G7. Permit Life [District Rule 217 VI.B.15]

This Permit to Operate shall become invalid five years after from the date of issuance unless a timely and complete renewal application is submitted to the District. Applications for renewal shall be submitted at least 12 months before the expiration of this permit, unless the District requests an earlier submittal. If more than 12 months is required to process a permit renewal application, the District shall provide no less than six (6) months for the owner or operator to prepare an application. Provided the permittee submits a timely and complete renewal application, this permit to operate shall remain in effect until the APCO issues or denies the renewal application.

G8. Fee Payment [District Rules 217 VI.B.16 and 300D]

The permittee shall remit the Title V supplemental annual fee to the District within 30 days from the billing date. If the fee is not paid within 30 days after it becomes due, the fee shall be increased by one half the Title V supplemental annual fee amount and the permittee shall be notified by mail of the increased fee. If the increased fee is not paid within 30 days after the notice, the permit will be cancelled and the permittee will be notified by mail. Operations without a permit to operate subjects the source to potential enforcement action by the District and the U.S. EPA pursuant to section 502(a) of the Clean Air Act.

G9. Excess Emissions Reporting [District Rule 403]

The permittee shall report all excess emissions in accordance with District Rule 217. In summary, the permittee shall immediately (i.e., as soon as reasonably possible, but no later than one (1) hour after its detection, unless the owner or operator can demonstrate that a longer period is necessary) Notify the District by telephone or in person of any excess emissions, other than pre-approved start-up, shutdown, or scheduled maintenance. Notification shall, to the extent reasonably ascertainable at the time of notification, include the source name, nature of the emissions problem, name of the person making the report, name and telephone number of the contact person for further information, date and time of the onset of the upset condition, whether or not the incident was planned, the cause of the excess emission (e.g., startup, shutdown, maintenance, breakdown, or other), equipment involved in the upset, estimated type and quality of excess emissions, estimated time of return to normal operating conditions.

G10 Permit Reopening for Cause [District Rule 217 V.H]

The APCO shall reopen and revise a permit to operate during the annual review period required by section 42301(c) of the H&SC, or petition the District hearing board to do so pursuant to section 42307 of the H&SC, whichever is applicable, prior to its expiration date upon discovery of cause for reopening or upon notification of cause for reopening by the U.S. EPA, or within 18 months of promulgation of a new applicable federal requirement. The APCO shall act only on those parts of the permit for which cause to reopen exists.

G11 Off Permit Modifications [40 CFR section 70.4(b)(14)]

The APCO will allow changes that are not addressed or prohibited by the permit, as provided by 40 CFR section 70.4(b)(14).

G12 Permit Availability [District Rule 200 D]

The permittee shall have available at the facility at all times a copy of the Great Basin Unified Air Pollution Control District Title V Operating Permit and shall provide a copy of the permit to the District or an authorized representative upon request.

G13 Significant Permit Modifications [District Rule 217 IV.B.3]

The responsible official shall submit an application for a significant permit modifications.

G14. Construction/Operation Modification [District Rule 200 A]

No permittee shall construct or make modifications required to be reviewed, without receiving an Authority to Construct.

G15. AB2588 [CH&SC sec. 44321, District and state enforceable only]

The permittee shall promptly notify the District in writing should they learn of or encounter conditions where toxic air emissions of concern are emitted and allowed to disperse into the ambient air. Toxic air emissions are those listed on the AB2588 list of substances as required by the California Health & Safety Code Section 44321.

G16. Alternative Operating Scenarios [District Rule IV.B.17]

a. When a national security emergency occurs, the resulting surge conditions shall not be considered in determining compliance with permit terms. A "national security emergency" is where extremely quick action is needed, and when timing of such action may make it impractical to meet one or more requirements of an applicable permit. National security emergencies are actions necessary to support operations of the United States forces introduced into hostilities or introduced into situations where involvement in hostilities is indicated or a possibility, peacekeeping operations, rendering emergency humanitarian relief, actions to extinguish wildfires, immediate responses to the release or discharge of oil or hazardous material in accordance with approved Spill Prevention and Response Plans and Spill Contingency Plans, and responses to natural disasters such as hurricanes, earthquakes, or civil disturbances. When a "surge condition" occurs the temporary response to the national security emergency requires an increase above and beyond the normal operating levels of the installation or activity, and such increase cannot be accommodated with the terms of the applicable permit limitations.

- b. The Commanding Officer responding to a national security emergency shall determine when a national security emergency surge condition exists and shall provide notice of a surge condition to the Air Pollution Control Officer, the regional Administrator of the U.S. EPA, and shall report such determination to the responsible Secretary of the Military Department or Head of the Department of Defense Component, in writing, within five working day after the start of the surge conditions.
- c. The Commanding Officer shall make a determination that a national security emergency surge condition exists only after making reasonable efforts to accommodate the increase within allowable requirements and permit limits.
- d. If the national security emergency surge condition extends beyond 30 calendar days from the date of the notice, the continued use of this national security emergency provision must be approved by the responsible Secretary of the Military Department or the Head of the Department of Defense Component.
- e. Within forty-five working days after the emergency surge condition has ended, the commanding officer shall provide a written report to the Air Pollution Control Officer, the regional Administrator of the U.S. EPA, and to the responsible Secretary of the Military Department or the Head of the Department of Defense Component, describing the amount of increased pollutants caused by the surge condition. If a SCREEN 3 analysis indicates that the increased pollutants exceeded toxic risk thresholds, the APCO may require a Health Risk Analysis, similar to the most recent approved Burn Plan, be performed and submitted to the District. The APCO will inform the permittee within forty-five (45) days of the SCREEN 3 being received by the District.